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02-15-02

A

Based on PTO/SB/05 (03-01)

|   |  |  |
|---|--|--|
| <b>NON-PROVISIONAL<br/>PATENT APPLICATION<br/>TRANSMITTAL</b> |  | <b>Attorney Docket No.</b> 693243-76 (UCD-1120)                |
|   |  | <b>First Inventor</b> Allan Y. Chen                            |
|   |  | <b>Title</b> RADIOSENSITIZATION BY INDOLOCARBAZOLE DERIVATIVES |
|   |  | <b>Express Mail Label No.</b> EL864389846US                    |

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

j1071518  
102/12/02

**ADDRESS TO:** Commissioner of Patents and Trademarks  
Box Patent Application  
Washington, DC 20231

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br><i>(Submit an original, and a duplicate for fee processing)</i> | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program ( <i>Appendix</i> )          |
| 2. <input checked="" type="checkbox"/> Applicant claims small entity status.<br><i>See 37 CFR 1.27.</i>  | 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission<br><i>(if applicable, all necessary)</i> |
| 3. <input checked="" type="checkbox"/> Specification<br><i>(preferred arrangement set forth below)</i>   | a. <input type="checkbox"/> Computer Readable Form (CRF)  |
|  | b. Specification Sequence Listing on:   |
|  | i. <input type="checkbox"/> CD-ROM or CD-R (2 copies; or  |
|  | ii. <input type="checkbox"/> paper  |
|  | c. <input type="checkbox"/> Statements verifying identify of above copies   |
- ACCOMPANYING APPLICATION PARTS**
- |  |                   |   |
|--|-------------------|---|
| 4. <input checked="" type="checkbox"/> Drawings(s) (35 U.S.C. 113)   | [Total Sheets 5 ] | 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))   |
| 5. <input checked="" type="checkbox"/> Oath or Declaration   | [Total Pages 2 ]  | 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney<br><i>(when there is an assignee)</i>                      |
| a. <input checked="" type="checkbox"/> Newly executed (original or copy) - UNSIGNED  |                   | 11. <input type="checkbox"/> English Translation Document ( <i>if applicable</i> )  |
| b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br><i>(for continuation/divisional with Box 18 completed)</i>   |                   | 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations                               |
| i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br><i>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</i> |                   | 13. <input type="checkbox"/> Preliminary Amendment  |
| 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR. 1.76.  |                   | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br><i>(Should be specifically itemized)</i>                                      |
|  |                   | 15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br><i>(if foreign priority is claimed)</i>  |
|  |                   | 16. <input checked="" type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. |
|  |                   | 17. <input type="checkbox"/> Other: _____   |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part    of prior acceptance No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**CORRESPONDENCE ADDRESS**

|   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 129585<br><i>(Insert Customer No. or Attach bar code label here)</i> | or <input type="checkbox"/> Correspondence address below |
| Name  | Nan Wu   |  |
| Address   | Gray Cary Ware & Freidenrich LLP<br>139 Townsend Street, Suite 400   |  |
| City  | San Francisco  | State California Zip Code 94124                          |
| Country   | USA  | Telephone (415) 836-2500 Fax (415) 836-9220              |

|                   |                   |                                   |        |
|-------------------|-------------------|-----------------------------------|--------|
| NAME (Print/Type) | Nan Wu            | Registration No. (Attorney/Agent) | 43,360 |
| Signature         | February 12, 2002 |                                   |        |

Based on PTO/SB/17 (10-01)

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$613.00)

| Complete if Known    |                      |
|----------------------|----------------------|
| Application Number   | New                  |
| Filing Date          | Herewith             |
| First Named Inventor | Allan Y. Chen        |
| Examiner Name        | Unknown              |
| Group Art Unit       | Unknown              |
| Attorney Docket No.  | 693243-76 (UCD-1120) |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

|                        |                                  |
|------------------------|----------------------------------|
| Deposit Account Number | 07-1896                          |
| Deposit Account Name   | Gray Cary Ware & Freidenrich LLP |

Charge Any additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check in the amount of \$ 613.00

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity             | Small Entity | Fee Description | Fee Paid                  |
|--------------------------|--------------|-----------------|---------------------------|
| Fee Code                 | Fee Code     | Fee (\$)        | Fee (\$)                  |
| 101                      | 740          | 201             | 370 Utility filing fee    |
| 106                      | 330          | 206             | 165 Design filing fee     |
| 107                      | 510          | 207             | 255 Plant filing fee      |
| 108                      | 740          | 208             | 370 Reissue filing fee    |
| 114                      | 160          | 214             | 80 Provisional filing fee |
| <b>SUBTOTAL (1) (\$)</b> |              | <b>370.00</b>   |                           |

## 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 33                 | -20** =      | 13 X 9 =       | 117.00   |
| Independent Claims | 6 -3** =     | 3 X 42 =       | 126.00   |

Multiple Dependent X 280 =

| Large Entity             | Small Entity | Fee Description  |
|--------------------------|--------------|--|
| Fee Code                 | Fee Code     | Fee (\$)   |
| 103                      | 18           | 203 9 Claims in excess of 20                                     |
| 102                      | 84           | 202 42 Independent claims in excess of 3                         |
| 104                      | 280          | 204 140 Multiple dependent claim, if not paid                    |
| 109                      | 80           | 209 42 ** Reissue independent claims over original patent        |
| 110                      | 18           | 210 9 ** Reissue claims in excess of 20 and over original patent |
| <b>SUBTOTAL (2) (\$)</b> |              | <b>243.00</b>  |

\*\* or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

| Large Entity Fee Code     | Small Entity Fee Code | Fee (\$) | Fee Description   | Fee Paid |
|---------------------------|-----------------------|----------|---|----------|
| 105                       | 130                   | 205      | 65 Surcharge - late filing fee or oath  |          |
| 127                       | 50                    | 227      | 25 Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                       | 130                   | 139      | 130 Non-English specification   |          |
| 147                       | 2,520                 | 147      | 2,520 For filing a request for ex parte reexamination                         |          |
| 112                       | 920*                  | 112      | 920* Requesting publication of SIR prior to Examiner action                   |          |
| 113                       | 1,840*                | 113      | 1,840* Requesting publication of SIR after Examiner action                    |          |
| 115                       | 110                   | 215      | 55 Extension for reply within first month                                     |          |
| 116                       | 400                   | 216      | 200 Extension for reply within second month                                   |          |
| 117                       | 920                   | 217      | 460 Extension for reply within third month                                    |          |
| 118                       | 1,440                 | 218      | 720 Extension for reply within fourth month                                   |          |
| 128                       | 1,960                 | 228      | 980 Extension for reply within fifth month                                    |          |
| 119                       | 320                   | 219      | 160 Notice of Appeal  |          |
| 120                       | 320                   | 220      | 160 Filing a brief in support of an appeal                                    |          |
| 121                       | 280                   | 221      | 140 Request for oral hearing  |          |
| 138                       | 1,510                 | 138      | 1,510 Petition to institute a public use proceeding                           |          |
| 140                       | 110                   | 240      | 55 Petition to revive – unavoidable   |          |
| 141                       | 1,280                 | 241      | 640 Petition to revive – unintentional  |          |
| 142                       | 1,280                 | 242      | 640 Utility issue fee (or reissue)  |          |
| 143                       | 460                   | 243      | 230 Design issue fee  |          |
| 144                       | 620                   | 244      | 310 Plant issue fee   |          |
| 122                       | 130                   | 122      | 130 Petitions to the Commissioner   |          |
| 123                       | 50                    | 123      | 50 Processing fee under 37 CFR 1.17(g)  |          |
| 126                       | 180                   | 126      | 180 Submission of Information Disclosure Stmt                                 |          |
| 581                       | 40                    | 581      | 40 Recording each patent assignment per property (times number of properties) |          |
| 146                       | 740                   | 246      | 370 Filing a submission after final rejection (37 CFR § 1.129(a))             |          |
| 149                       | 740                   | 249      | 370 For each additional invention to be examined (37 CFR § 1.129(b))          |          |
| 179                       | 740                   | 279      | 370 Request for Continued Examination (RCE)                                   |          |
| 169                       | 900                   | 169      | 900 Request for expedited examination of a design application                 |          |
| Other fee (specify) _____ |                       |          |   |          |

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

## SUBMITTED BY

|                   |   |                                   |        |           |                |
|-------------------|---|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Nan Wu  | Registration No. (Attorney/Agent) | 43,360 | Telephone | (415) 836-2500 |
| Signature         |  |                                   |        | Date      | Feb. 12, 2002  |

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Based on PTO/SB/05 (03-01)

Express Mail Label Number: EL864389846US

I hereby certify that this Utility Patent Application is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner of Patents & Trademarks; Washington, DC 20231.

2-12-02

Date

J. Moore

Signature

GRAY CARY ATTORNEYS AT LAW

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

|                      |   |
|----------------------|---|
| First Named Inventor | Allan Y. Chen                                     |
| Title                | Radiosensitization by Indolocarbazole Derivatives |
| Atty Docket Number   | 693243-76 (UCD-1120)                              |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Gray Cary Ware & Freidenrich LLP

February 12, 2002

Date

By

Nan Wu

Reg. No. 43,360

Attorneys for Applicant(s)

139 Townsend Street, Suite 400

San Francisco, CA 94107-1922

Telephone No. (415) 836-2500

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Express Mail Label Number: EL864389846US

*I hereby certify that this correspondence is being deposited with the United States Postal "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner of Patents & Trademarks; Washington, DC 20231.*

2-12-02

Date

*J. Leone*

Signature